

We have declared a disaster for the Trout Fire burning in southwest NM in Grant County. Its currently 0% contained and has burned over 38k acres. We have 17 different communities currently under evacuation order as well.

We are asking any adjuster deployed to NM please submit their application and email Agents.Licensing@osi.nm.gov to advise the nature of the application for expedition.



Vanessa DeJesus

Producer Licensing Bureau Chief

NM Office of Superintendent of
Insurance

Phone: 855-427-5674

www.osi.state.nm.us

BEFORE THE NEW MEXICO SUPERINTENDENT OF INSURANCE

IN THE MATTER OF AN)	
EMERGENCY ORDER TO PROTECT)	Docket No. 2025-0100
ACCESS TO INSURANCE AND THE)	
STABILITY OF INSURANCE)	
MARKETS IN WILDFIRE)	
EMERGENCIES)	
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EMERGENCY ORDER

THIS MATTER having come before the New Mexico Superintendent of Insurance (Superintendent) upon executive order issued by the Honorable Michelle Lujan Grisham, Governor of the State of New Mexico, addressing wild fire emergencies in various parts of the State of New Mexico under the Constitution and laws of New Mexico, including the All Hazard Emergency Management Act, NMSA 1978, Sections 12-10-1 through 12-10-10 (1959, as amended through 2007).

THE SUPERINTENDENT FINDS AND CONCLUDES:

1. The Superintendent has jurisdiction over this matter pursuant to the New Mexico Insurance Code, NMSA 1978, Sections 59A-1-1 *et seq.* and specifically NMSA 1978, Section 59A-2-8(A)(11) and (B) (2021);
2. The Governor of the State of New Mexico, the Honorable Michelle Lujan Grisham, has declared in Executive Order 2025-235, issued on June 17, 2025, an emergency in Grant County, New Mexico due to the Trout Fire;
3. Upon an order by the Governor based upon the invocation of a state of emergency under the All Hazard Emergency Management Act, the Superintendent, pursuant to NMSA 1978, Section 59A-2-8(A)(11), may “take those actions necessary to ensure access to insurance and the stability of insurance markets during the emergency[.]” including issuing emergency orders to

address any or all of the following:

- (a) grace periods for payment of insurance premiums and performance of other duties by insureds;
- (b) refund of premiums;
- (c) waiver of cost sharing or deductibles;
- (d) temporary postponement of cancellations and nonrenewals;
- (e) reporting requirements for claims; and
- (f) suspension of compliance with a statute, rule or contract, if strict compliance would prevent, hinder or delay necessary action in response to the emergency;

4. The Governor's executive order details the damage to the areas involved in the wildfires, including as of June 16, 2025 approximately 18,278 acres of land have burned with more expected to follow in the hours or days ahead, evacuations, hazardous air quality, and placed a significant strain on local emergency response resources;

5. The Governor's executive order also states "Grant County issued a local state of emergency declaration on June 16, 2025, indicating that all available local resources are insufficient to address this emergency and requests financial aid and material assistance from the State of New Mexico" and found that the disaster required "immediate actions to protect public peace, health, and safety";

6. The Superintendent finds that the state of emergency including evacuations, hazardous air quality, and the strain upon local emergency response resources, caused by the fires that are the subject of the Governor's Executive Order No. 2025-235, threaten access to insurance and the stability of insurance markets during the emergency;

7. The Superintendent further finds that residents who have left their homes, been ordered to evacuate their homes, and who are temporarily or permanently relocated to other areas, may have lost access to health care providers, their prescription medications, and other necessary health services;

8. The Superintendent additionally finds that residents who have left their homes,

been ordered to evacuate their homes, and temporarily or permanently relocated to other areas may have lost access to records and documents that would assist them in filing claims for destroyed or damaged property;

9. The Superintendent finds that it is necessary to issue this Emergency Order to continue to protect access to insurance and the stability of insurance markets during the emergencies declared in the Governor's executive order.

IT IS THEREFORE ORDERED that:

A. With respect to policy holders whose residence is in the fire impacted areas identified in this order, insurers who write health insurance policies in New Mexico, until the expiration of the Governor's executive orders related to the wildfire and emergency described above in this emergency order, shall:

Carriers Writing Health Insurance Policies

1. Provide a grace period for ninety (90) days for payment of insurance premiums, and offer policy holders a payment plan of no less than six (6) months if unable to pay the delinquency after the ninety (90) day grace period, until the Governor's executive order related to the wildfires and emergency described above is rescinded;
2. Waive cost sharing and deductibles;
3. Postpone cancellations and non-renewals;
4. Waive early-refill time limits on active prescriptions;
5. Allow replacement for lost or damaged medication;
6. Permit one eyeglass or contact lens replacement and one hearing aid replacement during the pendency of this Order, waiving frequency limitations;
7. Permit one replacement for dentures or other prosthodontic devices

during the pendency of this Order, waiving frequency limits;

8. Permit replacement of covered disposable medical supplies and durable medical equipment (DME) during the pendency of this Order, waiving frequency limits; and

9. Waive additional fees, charges, referrals, eligibility and prior authorization requirements for medically necessary services, whether emergent or not. This applies to benefits and services obtained from both in- and out-of-network providers.

B. Insurers who write health insurance policies in New Mexico shall extend medical providers' reporting requirements for claims submissions and for additional information relating to claims until the Governor's executive order related to the Trout fire is rescinded;

C. Insurers who write health insurance policies in New Mexico shall fully reimburse out-of-network providers at the usual, customary, and reasonable rate or at an agreed upon rate outlined in Subsection E of 13.10.22.8 NMAC. Where such information is unavailable, insurers shall use the Surprise Billing rate outlined in NMSA 1978, Section 59A-57A-13;

Carriers Writing Property and Casualty Insurance Policies

D. With respect to policy holders whose residence or business is in the wildfire impacted Grant County identified in this order, insurers who write property or homeowners policies in New Mexico, until the expiration of the Governor's executive orders related to the wildfire and emergency described above in this emergency order, shall:

1. Provide a grace period for ninety (90) days for payment of insurance premiums, and offer policy holders a payment plan of no less than six (6) months if unable to pay the delinquency after the ninety (90) day grace period, until the Governor's executive order related to the wildfires and emergency described above is rescinded;

2. Waive deductibles;

3. Postpone cancellations and non-renewals;
4. Waive deductibles for Additional Living Expenses (ALE) for any homeowners displaced and requiring ALE, and provide ALE for a minimum of 12 months until such time as the displaced homeowner returns home or establishes a new residence, whichever occurs first;
5. Extend reporting requirements for claims submissions or requests for additional information relating to claims;
6. Allow insureds to request a duplicate copy of their policy at no additional costs; and
7. Suspend late payment, reinstatement or insufficient funds fees along with any other fee, penalty, or interest charge resulting from the insured's temporary inability to submit premium payments;

Insurers Writing Automobile Insurance Policies

E. With respect to policy holders whose residence or business is in the fire impacted counties identified in this order, that insurers who write automobile policies in New Mexico, until the expiration of the Governor's executive orders related to the wildfire and emergency described above in this emergency order, shall:

1. Provide a grace period for ninety (90) days for payment of insurance premiums, and offer policy holders a payment plan of no less than six (6) months if unable to pay the delinquency after the ninety (90) day grace period, until the Governor's executive order related to the wildfires and emergency described above is rescinded;
2. Waive deductibles;
3. Postpone cancellations and non-renewals;
4. Extend reporting requirements for claims submissions or requests for

additional information relating to claims;

5. Extend reporting requirements for claims submissions or requests for additional information relating to claims;

6. Allow insureds to request a duplicate copy of their policy at no additional costs; and

7. Suspend late payment, reinstatement or insufficient funds fees along with any other fee, penalty, or interest charge resulting from the insured's temporary inability to submit premium payments;

All Insurers That Must Take Action Pursuant to This Emergency Order

F. Insurers impacted by this order are directed to make every reasonable effort to assist policyholders by informing them of the provisions of this order. Insurers are expected to document their outreach efforts to those who suffered property damage, injuries, and other losses including evacuation costs as a result of the catastrophic wildfire;

G. This Emergency Order shall take effect immediately for Grant County and shall remain in effect until Executive Order 2025-235 is renewed, modified, or rescinded by the Governor;

H. Copies of this Order shall be sent to all persons listed as service recipients on OSI's eDocket;

I. This Order shall be uploaded on the OSI Newsletter and sent out as a large volume correspondence to all Insurers licensed in New Mexico on the State Based System; and

J. This docket shall remain open until further written order of the Superintendent.

ISSUED under the seal of the New Mexico Office of Superintendent of Insurance at Santa Fe, New Mexico, this 17th day of June, 2025.



ALICE T. KANE
SUPERINTENDENT OF INSURANCE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 17th day of June 2025, I filed the *Emergency Order* through the OSI's e-filing system, which caused the parties to be served by electronic means, as more fully reflected on the eService recipients list for this case.

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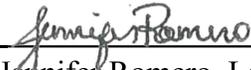
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